

MINUTES OF THE MEETING OF THE FACULTY SENATE OF THE UNIVERSITY OF ARIZONA  
Monday, November 15, 1948, Room 101, Law Building

The Senate convened in special meeting at 3:40 o'clock in Room 101, Law Building, on Monday, November fifteenth, with President McCormick presiding. Twenty-nine members were in attendance.

The minutes of the meeting of November first were approved.

STUDENT BODY ASSEMBLIES: President McCormick referred to a request from Mr. Merrill Windsor, President of Associated Students, presented at the meeting of November first requesting permission to hold two student body assemblies in addition to the one already held (Mothers' and Dads' Day) this semester. At the November first meeting, a consideration of the request was postponed.

Dean Slonaker was asked to report to the Senate regarding present practice concerning assemblies at other institutions. Dean Slonaker reported that he had made a survey of a large number of colleges and universities throughout the country and had found that a majority of institutions do permit the holding of student body assemblies during class hours, the class schedule being adjusted in various ways. Professor Carpenter and Professor Roberts spoke briefly against permitting this additional assembly. (The request in substance was a request for one additional assembly for the first semester of the current year, inasmuch as the Associated Students had already been given permission to hold two assemblies this semester.) Dean MacCready and Dean Slonaker spoke in favor of the request, pointing out that it is not out of line to permit to a reasonable degree some student body business during school hours. Dean Slonaker moved that the request from Mr. Windsor be approved. This was seconded by Professor A. Andersen, and the motion carried.

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Professor Carpenter asked if there was any objection to holding class during an assembly hour if ~~the instructor feels that his~~ students would prefer attending class to attending the assembly. ~~There was a general feeling that when classes are canceled for the purpose of holding a student body assembly, it would not be in order for an instructor then to hold class.~~ (The President expressed the view - 12/6/48)

Dean Butler pointed out that although the matter for this year was settled, he felt that the Senate should begin thinking now about the future. He said it was his opinion that most of the best institutions have abandoned student body assemblies; and possibly the University of Arizona should consider taking such action, at least to the point of not permitting assemblies to be held during regular class hours.

CHEATING REVIEW COMMITTEE, FURTHER CONSIDERATION OF REPORT OF: The Senate considered Part III, Paragraph C, Subparagraphs (6) and (7) as follows:

(6) The Committee decides in each case whether or not it considers the student guilty, and, if guilty, what penalty shall be recommended. The recommended penalty may vary with circumstances: a mere warning; a grade of "5" in the particular examination or report; a grade of "5" in the course with or without dismissal therefrom; suspension from the University for one semester, one year, or indefinitely; or deduction of credit--depending upon the nature of the offense and the previous record of the student with regard to the rules of the University.

(7) If the Committee finds the student to be guilty, its decision and recommendation will go through the office of the Dean of Men or Dean of Women for their records to the President for approval, modification, or veto. Any decision finding the student guilty and imposing punishment that affects the student's University credits or his final grades, will of necessity be made a matter of record in the Office of the Registrar. The notation "by administrative action" shall be posted on the student's record at the discretion of the Committee, except that as a general policy the Committee shall not recommend this notation against freshmen who are first offenders."

Dr. McCormick pointed out that to make a notation of action on a student's permanent record was severe penalty indeed, inasmuch as the consequences of such action are lifelong; and in later years such notation may result in a student's not getting a job, being denied a commission in the armed forces, etc. On the other hand, it is not fair to other institutions, employers, etc., not to let the student's permanent record carry such a notation. The Secretary Pro Tem pointed out that Mr. Leshner felt that the notation "by administrative action" should not be used in such instances, but rather that the notation should indicate that the action was taken by the University Committee on Dishonest Scholastic Work. It was also Mr. Lehser's opinion that the matter of leaving to the discretion of the Committee the question of whether or not the notation should be placed on the permanent record should be further studied.

Dr. Roberts stated that the aim here should be to punish offenders in order to help improve the cheating problem. However, a student should not be branded forever. Professor Barnes pointed out that there were several alternatives to the plan outlined in Subparagraph (7). Professor Houghton moved that the language of Subparagraph (7) be changed so as to indicate that "by administrative action" would be posted on the student's record only in aggravated cases, with no special mention being made of freshman offenders. Dean Butler said that he felt that aggravated offenders should be dismissed from the University in any case. He also pointed out the difficulty, when the record does not carry the notation "by administrative action," of explaining the notation which states a student must complete an additional number of units. (This is often part of the penalty awarded a cheating offender.)

Dr. Houghton's motion was seconded but lost. Dr. Garretson then moved that Subparagraph (6) and (7) be approved as stated above. This was seconded by Dean Brown, and the motion passed.

The Senate next considered Part III, Paragraph C, Subparagraphs (8) and (9) as follows:

"(8) The Registrar will notify the student involved, the instructor reporting the case, the Dean of the College in which the student is enrolled, the Dean of Men or the Dean of Women, and the Secretary of the Committee of the disposition of the case by the University administration.

(9) If the Committee finds that the accused student is not guilty, the Secretary of the Committee will report its finding to the Dean of Men or the Dean of Women, the Dean of the College in which the student is enrolled, the instructor reporting the case, and the student involved."

Dean Harvill moved the approval of these subparagraphs, and his motion was seconded by Dr. Haury. This motion passed.

The Senate then turned to consideration of Part III, Paragraph C, Subparagraph (10), as follows:

"(10) The Secretary of the Committee, upon receipt of official notice of the disposition of the case from the Registrar, may give a short statement of the case to the WILDCAT. This statement will not include the name of the student involved."

Dean Butler moved the approval of this subparagraph, and the motion was seconded by Dr. Roy. Dean Slonaker felt that the Committee should be permitted, if the members wished, to issue to the WILDCAT the names of students found guilty. Dean Butler said that to publish in the WILDCAT the name of a cheating offender would be terrible punishment. He reminded the Senate that the WILDCAT is distributed throughout the state and Nation and often goes to a student's home town. Dr. Solve stated that college students should be treated as adults, not as children, and said he did not favor a too tender-hearted attitude toward cheating offenders. Dr. Garretson raised the question of whether or not such a published statement could be considered libelous. Dr. McCormick said he doubted that such publication could be considered libelous, inasmuch as the WILDCAT would simply be reporting action taken by the University committee; and such action would, of course, be true.

Dr. Haury said he felt there was no point in releasing statements to the WILDCAT if names were not used, but Professor Gray pointed out that such publicity without revealing names informs students of the existence of the University Committee on Dishonest Scholastic Work and of its activity. The Senate then voted on Dean Butler's motion, and the motion passed.

The Senate then considered Part III, Paragraphs D and E as follows:

"D. The Handling of Summer Cases. The chairman of the Committee will, if necessary because of the absence of Committee members from the city, make arrangements with the President's office for the appointment of temporary members to the University Committee on Dishonest Scholastic Work to handle cases that necessitate action during the summer vacation. Cases arising during the summer sessions shall be handled in the usual manner except that they shall be reported to the chairman of the Committee through the Dean of the Summer Session.

E. Amendments. The Committee is encouraged to make recommendations to the Senate concerning changes in these rules and policies."

Dean Chapman pointed out that the individual college deans should always be fully informed concerning cheating cases. Professor Barnes said that the reason for indicating that action should go through the Dean of the Summer Session was due to the fact that individual college deans are often away during part of the summer session. Dean Clarson pointed out that the Dean of the Summer Session certainly should know about such matters occurring in summer session classes. Professor Barnes pointed out that individual college deans would always be informed of such action even though the channel of handling the case in summer session would be through the Dean of the Summer Session.

Dr. Garretson then moved that Paragraphs D and E be approved as stated above. This was seconded by Professor Borgquist, and the motion passed.

The Senate then turned to Part III, Paragraph C, Subparagraph 5, the only remaining section of the Statement to be considered. The original version of this

paragraph had not been found satisfactory, and two new versions were now presented to the Senate.

Dr. Hudson presented a version as follows:

"(5) The Committee will meet on call of the chairman and will generally meet within a week after the case is reported. The Committee may summon the accused student to appear at the hearing of the charges and such student shall be present at the hearing unless the Committee for good cause excuses his appearance. If his appearance is excused, the Committee may proceed as described in paragraph C (6) of Part III. If the accused student without good cause fails to appear before the Committee after being summoned to do so, his academic record shall be impounded in the Registrar's office until the case is settled, and he will not be relieved of the penalty normally imposed by the Committee for his offense. He shall be reported to the Dean of Men or Dean of Women for appropriate disciplinary action for refusal to obey such summons.

The Committee is authorized to formulate its own procedure for handling cases of students who have left the vicinity of Tucson after the alleged cheating occurred. It should be the aim of such procedures to prevent a student from evading a judgment against him by the expedient of removing himself from the physical jurisdiction of the Committee.

The instructor who reported the case may appear before the Committee to give more complete information about the cheating, but the Committee cannot compel him to do so. The Committee, however, may request that the instructor who reported the case furnish additional information in private.

The Committee may summon student witnesses to appear at the hearing and the accused student may present in defense any witnesses that he may have."

Dr. Barnes then presented a reworded version as follows:

#### "Meetings"

(5) The Committee will meet on call of the chairman and will generally hear the charge of cheating within a week after the instructor refers the case to it for action.

#### Notice and Summons

The Committee shall summon the accused student and any student witnesses, whose testimony the Committee may desire to hear, to appear at the hearing of the charge of cheating. The summons to the accused student shall briefly state the charge and the course in which the cheating is alleged to have occurred.

#### Hearing

The accused student shall be present at the hearing of the charge unless the Committee for good cause excuses him from attending. At the hearing such student may offer any defense or matter in mitigation that he may have. He may present (student) witnesses to testify in his behalf. The Committee at the end of the testimony shall then act pursuant to Paragraph C (6) of Part III.

If the accused student is excused from attending the hearing or if he fails to be present after having been summoned to do so, the Committee may in its discretion postpone the hearing and its decision or proceed to consider the charges, and any

defense offered, in the absence of such student. If the guilt of the accused student is admitted by him or is otherwise clear, the Committee may proceed to act in accordance with Paragraph C (6) of Part III.

The instructor who reported the case may appear before the Committee to give more complete information about the cheating, but the Committee cannot compel him to do so. The Committee, however, may request that the instructor who reported the case furnish additional information in private.

The Committee is authorized to formulate its own procedure for handling cases of accused students who have left the vicinity of Tucson after the alleged cheating has occurred and before a hearing within the usual time can be had. It should be the aim of such procedures to prevent a student from evading a judgment against him by the expedient of removing himself from the physical jurisdiction of the Committee.

If the accused student without good cause fails to appear at the hearing after having been summoned to do so, the Committee may report him to the Dean of Men or Dean of Women for appropriate disciplinary action for refusal to obey such summons.

If the Committee is unable to hear the charge of cheating by reason of the departure of the accused student from the vicinity of Tucson or by reason of his failure to attend the hearing after having been summoned to do so, the Committee may direct that his academic record shall be impounded in the Registrar's office until the case is settled."

The Senate then turned to the consideration of the two new versions of Subparagraph 5. Professor Carpenter objected to the word "accused" throughout Dr. Barnes' version, and it was agreed by the Senate that wherever the word "accused" appears, the word "reported" should be substituted. Dr. W. H. Brown then referred to the third sentence of the first paragraph under the section Hearing, objecting to the phrase "student witnesses." He pointed out that students should be free to present witnesses other than students. It was agreed that the word "students" should be removed from that sentence.

Dean Clarson asked was it not elemental justice to permit the accused to be confronted by the accuser. He referred to the question of whether or not the student and the reporting instructor should be brought face to face before the committee. Dr. McCormick said that in a sense Dean Clarson was right, thinking of the matter purely in terms of elemental justice. However, it had been the feeling of the committee that if instructors in all cases could be summoned by the committee, situations could easily arise where the instructors would be on trial; and of course if instructors could be summoned, this would present an embarrassing situation for members of the Committee and would hamper the effectiveness of their work.

President McCormick asked Dr. Hudson which of the two versions of Subparagraph (5) he preferred; and he stated that if he had a preference, he felt it would be for Dr. Barnes' version.

Dr. Roy then moved that Dr. Barnes' version of Subparagraph (5) be approved with changes as noted. Dean Harvill seconded this motion and it passed.

Dr. McCormick expressed on behalf of the Senate appreciation to Dr. Hudson for

his work in connection with the new Statement. The President asked the Senate's assistance in interpreting Part III, Paragraph A, in appointing members of the new University Committee on Dishonest Scholastic Work. The Senate voted to approve an interpretation that for the original appointment of nine members three would be appointed for three years, three for two years, and three for one year. Future appointments then would all be for three-year terms. The President then stated that he felt a faculty meeting should be called for the purpose of providing the general faculty with an interpretation of the new policy. Dr. Barr said he felt that some faculty members would not be satisfied with the new plan and might want to present an alternative plan at the general faculty meeting. It was the general feeling of the Senate, however, that the Statement would not be presented at the faculty meeting for debate, but simply in order that it might be explained to the faculty members. The Senate has now adopted the new policy. The policy was adopted by the faculty-elected Senate representatives. Under the provisions of the constitution the faculty have the right, if they wish, to call a referendum on the matter. It was pointed out that the plan does not immediately go into effect, but must wait fourteen days following its final approval during which time faculty members may instigate referendum measures if they desire.

Dean Andersen felt that a general faculty meeting called as soon as possible would be helpful in providing the faculty with one coordinated interpretation of the policy. Dr. McCormick said it was likely he would be calling a general faculty meeting early in December following the meeting of the Board of Regents on December third and fourth. Dean Butler pointed out that the STATEMENT OF POLICY CONCERNING DISHONEST SCHOLASTIC WORK should now be mimeographed and distributed as promptly as possible to the entire faculty. It was pointed out that until the fourteen-day time limit has elapsed, the old Committee on Student Examinations and Reports must continue to function.

OUTSIDE WORK, DISCUSSION OF: Dr. Solve presented a proposal concerning "outside work" as recommended by the Committee of Eleven. This had been presented to the Senate at the meeting of May 17, 1948; but at that time, consideration of the matter had been postponed until this fall. Dr. Solve presented the recommendation from the Committee of Eleven as follows: (For final action see minutes of Dec. 6, 1948.)

"Definition: "Outside work" shall be considered as continuing or periodic work not included in that for which the employee is paid by the University but in which the employee may wish to engage for any reason whatsoever.

- I. When the outside work is classifiable as falling within the employee's professional field or within the field of public service, it should not only be permitted freely but to the extent that it does not interfere with the employee's ~~teaching or other assigned~~ duties, it should be encouraged. The University recognizes the fact that such work tends to broaden the employee's background and experience and thus to increase his value to the University as a teacher, research worker or administrator.

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Whether or not the employee who engages in such work received compensation therefor is deemed of no consequence and as having no bearing on the general question.

If no University facilities are employed or consumed in the work the University shall place no prohibition upon it nor claim any part of any compensation received for it.

If University facilities are employed or consumed in the work the University may enter into a suitable arrangement with the person performing the work and the one for whom it is performed as to the amount to be paid to the University to compensate for the use of its facilities. This fee shall bear no relation to the salary or to other pay received by the employee for services rendered the University. In this connection the practice specified in the University Announcement TEST POLICY AND PROCEDURE dated October, 1942, may be followed.

II. The writing of books or other creative work of a similar nature shall be encouraged to the extent that it does not interfere with the assigned duties of the employee. If such creative work results in royalties or the sale of copyrights, etc., the University shall make no claim thereto.

III. Engaging in work of a non-professional or non-public service nature may sometimes be considered by some persons as inappropriate to the professional or academic standing of the employee and the University. For this reason it might be considered undesirable for faculty members to engage in this type of activity. However, faculty members not infrequently find it necessary to engage in such employment. Therefore, the University should prohibit such work only when it is entirely clear that that work is inappropriate and would result in discredit or in diminished effectiveness of the employee or the University. *discourage 12/6/48*

IV. The question of whether or not outside work interferes with the assigned duties of the employee shall be determined in each instance in conference between the employee, his department head, the appropriate dean, and the office of the President. The decision shall rest upon actual facts in the specific case. It shall be the duty of the employee who engages in outside work to report that fact to his department head." *Revised 12-6-48*

Dr. Solve moved the adoption of the report, and this motion was seconded by Dean Butler. However, Dean Butler referred to what he thought was the most recent ruling of the Board of Regents on outside work which stated that no full-time University staff member should engage in any "continuing outside job." However, President McCormick said that the Board's latest action, which was approved in 1940, said simply that no account of outside remuneration is to be taken as long as such work does not interfere with the individual's University job. Such outside work should be reported and remuneration should be reported if the outside work is in any way connected with the University of Arizona. Dr. McCormick said that the new policy as recommended by the Committee of Eleven falls under the policy of the Board of Regents, 1940.

Dean Butler pointed out that outside work should not be of a routine nature. (For instance, an engineering professor should not accept an ordinary surveying job.) Furthermore, University faculty members should charge as much or more as the lay worker charges. President McCormick pointed out that under the policies recommended by the Committee of Eleven, the President, the dean, and the head of the department concerned could formulate a policy for each case. ~~\* Dr. W. H. Brown said that he did not feel it should be in any case any concern of the University what its faculty members did in the way of "outside work."~~ The President pointed out that in some instances the matter of public relations must be taken into consideration.

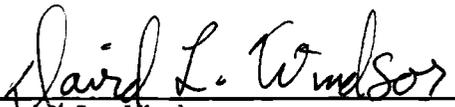
Dean Patrick felt that the phrase "assigned duties" as used in the Statement was too narrow and felt that "proper duties" would be a better term.

Dr. W. H. Brown said he felt he would like more time to consider the recommendation from the Committee of Eleven and moved that the matter be tabled. This was seconded by Professor Borgquist, and the motion passed.

STATE RETIREMENT PLAN, DISCUSSION OF: Dr. Roberts pointed out that it seemed evident that the State Retirement Plan as approved by the voters of Arizona at the general election of November second presents definite advantages over the present University Retirement Plan. It was his understanding, however, that if the University wishes to be included in the state plan, the conversion must be made by July 1, 1949. He suggested the matter be given careful study soon.

Professor Howard explained that each plan has some advantages over the other. He pointed out that at present there are some legal technicalities in the plan as presented to the Arizona voters which have not yet been clarified. The matter is being studied at present, he pointed out, and an opinion should be forthcoming shortly. Following the receipt of legal opinion, Professor Howard intends to make a thorough study of the new state plan. President McCormick stated he would ask Professor Howard to present to the Senate a full report on the matter at its next meeting.

The meeting adjourned at 5:50 o'clock.

  
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David L. Windsor  
Secretary Pro Tem

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